

**GRADE 4  
CALIFORNIA: A CHANGING STATE**

**Standard 4.5: The United States Local, State and Federal Governments  
In Accordance to the Constitution**

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**Standard 4.5:**

**Students understand the structure, functions, and powers of the United States local, state, and federal governments as described in the U.S. Constitution, in terms of:**

1. What the U.S. Constitution is and why it is important (i.e. a written document that defines the structure and purpose of the U.S. government; describes the shared powers of federal, state, and local governments);
2. The purpose of the state constitution, its key principles, and its relationship to the U.S. Constitution (with an emphasis on California's Constitution);
3. The similarities (e.g., written documents, rule of law, consent of the governed, three separate branches) and differences (e.g., scope of jurisdiction, limits on government powers, use of military) among federal, state, and local governments;
4. The structure and function of state governments, including the roles and responsibilities of their elected officials;
5. The components of California's governance structure (i.e., cities and towns, Indian rancherias and reservations, counties, school districts).

**Sample topic addressing parts of Standard 4.5:**

**Local, State, Federal Government / Constitution: parts of the first, second, third, and fourth elements.**

**Suggested time: 7 class periods**

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### **Grade 4 Teachers Adaptations to your Classroom**

#### **Standard 4.5: Local, State, Federal Government / Constitution**

1. Write to the State Capitol to obtain information on the governance structure of California.
2. Obtain a copy of California's state constitution.
3. Create a Venn diagram that outlines the similarities and differences of the United States and California constitutions.
4. Research the history of our state constitution and write a one page summary of your findings.
4. Locate or make overhead transparencies (or other visuals) that show (a) the branches of government and (b) the steps of how a bill becomes law.
5. Research three "issues" that would be appropriate for use in the class simulation. Describe each in a short paragraph.
6. Outline in one page how you will adapt the class simulation activity to your class.
7. Create a grading rubric for the culminating writing activity.
8. Investigate the SCORE history-social science web site (<http://score.rims.k12.ca.us>) to learn about teaching resources, related Internet sites, and activities for this unit.

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### Significance of the Topic

California became a state in 1850. At that time, the Constitution of 1849 was the document in use to define how government should be run in California. After almost thirty years, there was a push to create a new constitution. A “constitutional convention” was held in order to write the new constitution which took a year to complete. Finally, in May of 1879, the new constitution was adopted by a majority of less than 8% of California’s voters. The new constitution includes so many rules and restrictions on government that it is one of the longest constitutions in the world.

California’s constitution parallels our national government by defining a system of checks and balances based on three branches of government: the executive, the legislative, and the judicial branches.

Executive Branch: The executive branch prepares the state budget and works to ensure that laws passed by the legislative branch are carried out. The head of the executive branch of government is the governor who serves as the highest official in state government. The governor is elected by the state’s voters and serves a term of four years but may not serve more than two terms in office. Bills passed by the Senate and the Assembly are given to the governor to sign. If signed, the bill becomes law. If unsigned but not stopped by the governor, the bill becomes law after 12 days. The governor can also veto a bill that s/he does not agree with. However, the legislature can still pass the bill into law if two-thirds of the members of both the Senate and the Assembly approve.

Legislative Branch: this branch of government makes state laws and is comprised of two “houses” – the Senate (which contains 40 members elected by California’s citizens to four-year terms and who may serve no more than two terms) and the Assembly (which contains 80 members who are elected to two-year terms and may serve no more than three terms). Members of the Senate and Assembly meet in the State Capitol building in Sacramento where they make new laws. They also work to decide how the state money will be spent.

Judicial Branch: this branch of government includes the state courts and judges, including the State Supreme Court that consists of seven judges called “justices”, who serve to interpret the laws, determine if laws are fair, or if they have been broken. They ensure that the government abides by the rules of the state and U.S. constitutions. This branch can also remove officials from government through the process of impeachment. New Supreme Court justices are chosen by the governor after which the citizens vote for or against the governor’s choices. The state courts hear cases asking for changes in decisions made in California’s lower courts.

California is also one of the few states in which voters have special powers such as the ability to recall officials and the ability to pass initiatives which are laws made directly by the voters instead of by the legislature. In order to pass a state initiative, voters must gather enough signatures on a petition (a request for action) so that it can be placed on the next election ballot. The initiative becomes law if more than half of the voters agree. Changes can also be made to the state constitution following this procedure. Finally, if

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voters want to change a law that has already been passed by the state government, a referendum can be held in which voters decide to keep or get rid of that law.

### **Focus Questions:**

1. Why do we have a California state constitution in addition to a United States constitution?
2. What are the similarities and differences between the United States and the California state constitutions?
3. How does our state government function?
4. How does a bill become law?
5. How can I influence the legislative process?

### **Literacy Links**

A variety of strategies and activities are included in the lesson that support and develop reading, writing, listening, and speaking skills. Examples of the literacy supporting activities from this lesson are:

### **Reading**

- Make and read maps, charts and graphic organizers
- Read a variety of texts
- Develop content specific vocabulary dealing with aspects of California and United States government

### **Writing**

- Complete a KWL chart
- Complete a Venn diagram
- Research and select an issue
- Participate in class simulation on how a bill becomes law
- Write a letter to a local representative
- Create “fact sheets” about government officials
- Create a new version of the state seal
- Collect and summarize newspaper/magazine articles
- Write examples of initiatives and circulate petitions.

### **Speaking**

- Respond to questions
- Conduct survey to determine “public opinions”
- Participate in class simulation
- Role play conversations between state officials
- Speak clearly at an understandable pace

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### **Listening**

- to multi-step directions
- to responses from surveyed individuals
- to class discussions

### **Sample Vocabulary Used in this Unit**

Bill  
Budget  
Citizen  
Constitution  
Democracy  
Executive branch  
Federal government  
Impeachment  
Initiative  
Judicial branch  
Legislative branch  
Petition  
Recall  
Referendum  
State government  
Veto

### **Suggested Materials for this Unit**

Butcher paper for KWL chart  
Venn diagram worksheets  
Overhead transparency: branches of government  
Overhead transparency: how a bill becomes law  
California map

## **A**

### **Beginning the Topic**

**Focus Question: Why do we have a California state constitution in addition to a United States constitution?**

Begin this lesson by reviewing the definition and purpose of the United States constitution. Connect to past learning from the third grade curriculum. Explain to students that they will be learning about the California constitution and the basic form of our state's government. Use a K W L ("What We Know," "What We Want to Know," and "What We Learned") strategy to capture students' prior knowledge and areas of interest (see Appendix V-1). Record responses on a butcher paper chart so that the chart

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becomes an ongoing reference for use throughout the lesson. Present information on the history of our state's constitution. Use a map of California to point out the location of the state capitol.

**Focus Question: What are the similarities and differences between the United States and the California state constitutions?**

Engage students in an examination and discussion of the similarities between the United States and California State constitutions. Create a Venn diagram as a whole class or individual student activity detailing basic features of the two constitutions that are unique to each, as well as those features that are the same in both documents.

### **B Developing the Topic**

**Focus Question: How does our state government function?**

Use an overhead transparency (or other visual) that illustrates the function of each branch of government and discuss the roles and function of each of the three branches of government.

**Focus Question: How does a bill become law?**

Use an overhead transparency (or other visual) that illustrates the steps involved for how a bill becomes a law to stimulate discussion on this procedure.

Create a classroom simulation of our state government in action so that students come to understand the role of each branch of government, the roles of the various officials who serve in each branch, and the basic process of how a bill becomes a law.

Select an "issue" that will provide the central focus of the simulation, being careful to choose an issue that is of interest to your students. The issue may be one that is currently under discussion at the state level or an issue of local relevance, such as those related to water resources, transportation, education, etc.

To help students develop a broader understanding of the selected issue, have students conduct informal surveys of family and friends to collect "public opinions" on the pros and cons, and other aspects of the selected issue. Share findings in class.

Depending on the number of students in your class, elect or designate students for various key positions such as:

Governor: the highest official in the state; head of the executive branch of government.

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### *Executive Branch Officials*

Lieutenant Governor: serves as president of the senate and acts as second in command to fill in for the governor as needed.

Secretary of State: records decisions of the Legislature; responsible for the conduct of elections.

Treasurer: responsible for selling state bonds and preserving the state's valuables; the state's banker.

Auditor/Controller: in charge of collecting all money owed to the state; oversees state spending.

Attorney General: serves as the chief law officer of the state; decides if citizens should be tried for crimes against the state.

Superintendent of Public Instruction: serves as chief administrator of the public school system; directs the State Board of Education and various policies.

### *Legislative Branch*

This branch makes most of the laws and is made up of 40 senators and 80 assemblymen. Select small groups of students to represent senators and assemblymen. Remember that the governor can veto laws passed by the legislature. However, a vote of 2/3 of the legislators can override the veto.

### *Judicial Branch*

This branch includes the judges and the courts, including the Supreme Court, that interpret the laws and constitution to ensure that government follows the mandates of the constitution. Officials of this branch can remove government officials through the process of impeachment. Select a small group of students to represent this branch.

Conduct the simulation of the steps involved in changing a bill into a law (Legislators work with others to write the bill based on the issue→Lawmakers in the Senate and Assembly debate and vote on the bill→The governor decides to sign or veto the bill→ A signed bill becomes law→ A vetoed bill requires a two-thirds vote by members of both the Senate and Assembly before it can become law). As members of the judicial branch to determine what should occur if the proposed law is broken.

## C

### **Culminating the Topic**

**Focus Question: How can I influence the legislative process?**

Culminate this lesson with a writing activity in which students write a letter to their local representative to describe an issue they feel should become a law. The essay should include general background information about the issue (pros and cons), and their reasons

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for why it should become a law. An alternative would be to have students write a letter, as future voters, expressing their point of view on an issue currently under consideration.

On completion of the lesson refer back to the KWL chart listing what students learned and relating it to the “What We Want To Know” column.

### **Assessment**

The assessment of this lesson is integrated with the instruction and occurs throughout the lesson rather than just at the end. The focus questions provide a framework for the evaluation of the unit. Assessment features described in this unit include:

- Complete the KWL chart on what you know about US/California constitutions.
- Complete a Venn diagram comparing similarities and differences between the United States and California constitutions.
- Research and select an issue for use in the class simulation.
- Conduct surveys to collect “public opinions” on the selected issue.
- Participate in class simulation on how a bill becomes law.
- Write a letter to a local representative related to an issue selected by student or issue currently under legislative consideration.
- Create “fact sheets” about government officials.
- Create a class mural to illustrate how a bill becomes law.
- Create a new version of the state seal.
- Collect and summarize newspaper/magazine articles on current legislation.
- Role play conversations between state officials.
- Write examples of initiatives and circulate petitions.
- Respond correctly to class discussion questions
- Work collaboratively to complete projects

### **Extended and Correlated Activities**

- Invite to your class a local legislator or representative to share information on his or her job in Sacramento.
- Write to state officials to collect information on their background: when elected, education, job description, programs or issue supported, reasons for becoming involved in government, etc. Have students create “fact sheets” on each official.
- Working in small groups students create a class mural that illustrates a flow chart of how a bill becomes law.
- Study the symbols on the state seal (state motto, ships on San Francisco bay, Sierra Nevada peaks, miner holding his pick, grizzly bear, wheat/grapes, armored figure of Minerva). Students create their own version of the state seal including symbols they feel are most descriptive of the state.



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- Have students bring to class newspaper or magazine articles that describe the work of the state government (e.g. results of state legislation under consideration or court cases). Review the steps involved in resolving the legislation or court case. Create an “Our State Government” bulletin board from the articles and include a one or two sentence student-written summary of each article that can be posted below each article on the board.
- Role play conversations between various state government officials.
- Have students work in small groups to write examples of possible initiatives that outline new laws they believe should be passed. Students can circulate petitions and collect signatures to determine if other students support the initiative. Follow by holding a class vote.

### **Resources for the Sample Topic**

To be completed...

Appendix V-1

What We Know, What We Want to Know, What We Learned

Using the chart below, list the topic you are currently studying.  
In the first column list all the things that you already know about the topic.  
In the second column, list what you want to know.  
After you finish studying about one of the items you have listed, use the third  
column to enter what you learned.

<b>K</b>	<b>W</b>	<b>L</b>
<b>What We Know</b>	<b>What We Want to Know</b>	<b>What We Learned</b>